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7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 CENTEX HOMES, a Nevada general
partnership,

11 Plaintiff,

12 v.

13
14 ZURICH AMERICAN INSURANCE
COMPANY, an Illinois corporation;
15 EVEREST NATIONAL INSURANCE
COMPANY, a Delaware corporation;
16 UNDERWRITERS AT LLOYDS LONDON,
a London corporation; LEXINGTON
17 INSURANCE COMPANY, a Delaware
corporation; ADMIRAL INSURANCE
18 COMPANY, a New Jersey corporation,
19

20 Defendants.
21

Case No. 2:16-cv-01634-APG-GWF

22 **STIPULATION AND ~~[PROPOSED]~~**
ORDER STAYING DISCOVERY

23 The above-named parties, by and through their respective counsel of record, hereby
24 stipulate and agree to stay discovery in the above-captioned litigation until the Court issues a
25 ruling on Lexington Insurance Company's ("Lexington") motion to dismiss Centex Homes'
26 ("Centex") complaint (ECF No. 11), which defendant Zurich American Insurance Company has
27 joined. (ECF No. 19). Lexington's motion to dismiss involves an issue central to this case and
28 central to coverage under many of the defendants' insurance policies. The parties do not want to
expend resources performing discovery until the Court issues a ruling on the dispositive issues

1 raised in Lexington's motion.

2 Lexington filed a nearly identical dispositive motion in a similar case that is currently
3 pending entitled *Centex Homes v. Everest Nat'l Ins. Co., et al.*, D. Nev. Case No.: 2:16-cv-01275-
4 GMN-PAL (hereinafter "*Callaway*"). The Court in the *Callaway* case recently stayed discovery
5 due to Lexington's pending dispositive motion. (ECF No. 37 in *Callaway*).

6 The parties thus stipulate and agree that discovery in this case should be stayed until after
7 the Court issues a ruling on Lexington's motion, in order to save resources and promote
8 efficiency.

9 Dated: December 19, 2016

10 PAYNE & FEARS LLP

11
12 By: /s/ Sarah J. Odia

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Dated: December 19, 2016

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By: /s/ Joshua Zlotlow

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Attorneys for Defendant LEXINGTON
INSURANCE COMPANY

18 Dated: December 19, 2016

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INSURANCE COMPANY

Dated: December 19, 2016

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Attorneys for Defendant EVEREST
NATIONAL INSURANCE COMPANY

1 Dated: December 19, 2016
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11 **ORDER**

12 IT IS SO ORDERED.

13 DATED: December 21, 2016

14 
15 UNITED STATES MAGISTRATE JUDGE

16 4839-1041-9006.2
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